

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 06 CR 359-3
)	
MELVIN DOKICH,)	
)	
Defendant.)	

MEMORANDUM ORDER

After Melvin Dokich ("Dokich") wrote the attached letter to this Court, seeking the appointment of counsel to represent him in two respects, this Court issued a brief April 16, 2010 memorandum order ("Order") denying that request. As the Order explained, even apart from any procedural problems with Dokich's request (such as the failure to submit a current showing of financial eligibility under the Criminal Justice Act ["CJA," 18 U.S.C. §3006A]), Dokich's submission was substantively deficient.

Now Dokich has submitted a renewed Motion for Appointment of Counsel, in which he explains at some length his version of the differences between him and counsel Stephen Eberhardt that led to the latter's withdrawal from representation. This Court is scarcely in a position to conduct a hearing to determine which of the sharply differing versions of events (or something in between) appears to be more credible. Instead the original reasons for denying the appointment of counsel, as set out in the Order, remain:

1. Fed. R. Crim. P. ("Rule") 35(a), because of its severe time limitation and other restrictions on its use by a defendant, take that Rule outside of the jurisdictional reach of this Court as a potential source of relief for Dokich.

2. None of the statutory purposes listed in the CJA extends to the other areas that Dokich refers to in his letter (including any possibility of relief under Rule 35(b)).

Accordingly Dokich's renewed motion for appointment of counsel is denied. This Court notes that he has appointed counsel representing him in connection with his currently pending appeal, and though the subject matter of his current motion is not a part of that designated representation, Dokich might perhaps inquire of that appointed counsel as to the possibility of informal assistance.



Milton I. Shadur
Senior United States District Judge

Date: June 21, 2010

04-03-2010

Melvin Dokich
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Honorable Judge Shadur
Everette McKinley Dirksen
United States Courthouse
Courtroom #2303
219 S. Dearborn
Chicago, IL 60604

Dear Judge Shadur,

Your Honor, I have received notification that Mr. Stephen Eberhardt was allowed to withdraw from my case on March 16, 2010. I respectfully request that you please appoint new counsel regarding possible Rule 35 consideration. I am indigent and cannot afford to hire an attorney.

Another reason I need counsel is that I have an abundance of information on the Efoora Investigation that would be of interest to the Government. I also have critical information in the Blagojevich matter, thus I need counsel to advise me on how to present the hard copy of these materials.

Respectfully submitted,


Melvin Dokich